

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TENTH DAY OF MAY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

and

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 11183 of 2005

Between:

M/s. Jaya Diagnostic and Research Centre Ltd., (Medwin Hospitals), Chirag-Ali
Lane, Hyderabad, Sri B. Kameswara Rao

..... PETITIONER

AND

- 1 Commercial Tax Officer, Nampally Circle, Hyderabad.
- 2 Deputy Commissioner (CT) Abids Division, Hyderabad.
- 3 Additional Commissioner (CT) (Legal), Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction particularly one in the nature of Writ of Mandamus granting stay of collection of the disputed tax of Rs.4,73,800/- arising in pursuance of the stay rejection orders of the third respondent dt. 6-4-2005 passed in CCT's Ref.No. LIII(1)/68/2005 for the assessment years 2000-01 read with the revision orders of the second respondent dt. 17-12-2004 pending disposal of the appeal before the Sales Tax Appellate Tribunal.

Counsel for the Petitioner:MR.S.KRISHNA MURTHY

Counsel for the Respondents: GP FOR COMMERCIAL TAX

The Court at the stage of admission made the following ORDER: (Per GR,J)

Heard the learned counsel for the petitioner and the learned Government Pleader for Commercial Taxes.

The writ petition is filed against an order dated 06-04-2005 rejecting the petitioner's application for stay of payment of the disputed tax of Rs.4,73,800/- in respect of the assessment year

2000-01. The stay application of the petitioner was rejected by the third respondent.

In the circumstances, the writ petition is disposed of granting stay of collection of the disputed tax of Rs.4,73,800/- on condition that the petitioner deposits 50% of the amount demanded to the credit of the first respondent within a period of four weeks from today.

(GODA RAGHURAM, J)

10th May, 2005.

(DR. G.YETHIRAJULU, J)

kvni/pvks

To

- 1 The Commercial Tax Officer, Nampally Circle, Hyderabad.
- 2 The Deputy Commissioner (CT) Abids Division, Hyderabad.
- 3 The Additional Commissioner (CT) (Legal), Hyderabad.
- 4 Two CCs to the Government Pleader for Commercial Taxes, A.P.High Court Buildings, Hyderabad (OUT).
- 5 Two CD copies.